

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01766-RBW

CITIZENS FOR RESPONSIBILITY AND ETHICS IN
WASHINGTON v. U.S. DEPARTMENT OF JUSTICE
Assigned to: Judge Reggie B. Walton
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 07/30/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**CITIZENS FOR RESPONSIBILITY
AND ETHICS IN WASHINGTON**

represented by **Anne L. Weismann**
CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON
1101 K Street, NW
Suite 201
Washington, DC 20005
(202) 408-5565
Fax: (202) 588-5020
Email: aweismann@citizensforethics.org
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Justin Michael Sandberg**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Room 11004
Washington, DC 20005
(202) 514-5838
Fax: (202) 616-8202
Email: justin.sandberg@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/30/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-5609714) filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Department of Justice, # <u>3</u> Summons Attorney General, # <u>4</u> Summons U.S. Attorney)(Weismann, Anne) (Entered: 07/30/2018)
07/30/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Weismann, Anne) (Entered: 07/30/2018)
07/30/2018		Case Assigned to Judge Reggie B. Walton. (zmd) (Entered: 07/30/2018)
08/01/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zmd) (Entered: 08/02/2018)
08/08/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/7/2018. Answer due for ALL FEDERAL DEFENDANTS by 9/6/2018. (Weismann, Anne) (Entered: 08/08/2018)

08/08/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 8/7/2018 (Weismann, Anne) (Entered: 08/08/2018)
08/08/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/7/18. (Weismann, Anne) (Entered: 08/08/2018)
08/08/2018	<u>7</u>	GENERAL ORDER FOR CIVIL CASES BEFORE THE HONORABLE REGGIE B. WALTON. Signed by Judge Reggie B. Walton on August 8, 2018. (lcrbw2) (Entered: 08/08/2018)
09/06/2018	<u>8</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(Sandberg, Justin) (Entered: 09/06/2018)
09/06/2018		MINUTE ORDER. To ensure the expeditious resolution of this action, and because this action qualifies as an exempted case under Local Civil Rule 16.3(b), it is hereby ORDERED that the parties shall file a joint proposed schedule governing further proceedings on or before September 27, 2018. Signed by Judge Reggie B. Walton on September 6, 2018. (lcrbw2) (Entered: 09/06/2018)
09/06/2018		Set/Reset Deadlines: joint proposed schedule governing further proceedings due by 9/27/2018. (hs) (Entered: 09/06/2018)
09/26/2018	<u>9</u>	Joint STATUS REPORT <i>with Proposed Schedule</i> by U.S. DEPARTMENT OF JUSTICE. (Sandberg, Justin) (Entered: 09/26/2018)
09/28/2018		MINUTE ORDER. Upon consideration of the parties' <u>9</u> Joint Proposed Schedule, it is hereby ORDERED that the parties shall appear before the Court for a status conference on October 3, 2018, at 10:30 a.m., to discuss their respective positions regarding the schedule for the processing and production of the records sought by the plaintiff. Signed by Judge Reggie B. Walton on September 28, 2018. (lcrbw2) (Entered: 09/28/2018)
09/28/2018		Set/Reset Hearings: Status Conference set for 10/3/2018 at 10:30 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 09/28/2018)
10/03/2018		Minute Entry; for proceedings held before Judge Reggie B. Walton: Status Conference held on 10/3/2018. Status Conference set for 1/18/2019 at 11:30 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Cathryn Jones) (hs) (Entered: 10/03/2018)
10/03/2018	<u>10</u>	ORDER. See attached Order for details. Signed by Judge Reggie B. Walton on October 3, 2018. (lcrbw2) (Entered: 10/03/2018)
11/06/2018	<u>11</u>	NOTICE of Change of Address by Justin Michael Sandberg (Sandberg, Justin) (Entered: 11/06/2018)
11/13/2018	<u>12</u>	NOTICE of Change of Address by Anne L. Weismann (Weismann, Anne) (Entered: 11/13/2018)
11/13/2018	<u>13</u>	TRANSCRIPT OF PROCEEDINGS before Judge Reggie B. Walton held on October 3, 2018; Page Numbers: 1 – 10. Court Reporter/Transcriber Cathryn Jones, Telephone number 202 354–3246, Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 12/4/2018. Redacted Transcript Deadline set for 12/14/2018. Release of Transcript Restriction set for 2/11/2019.(Jones, Cathryn) (Entered: 11/13/2018)

11/20/2018	<u>14</u>	MOTION to Clarify , MOTION for Scheduling Order by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Text of Proposed Order)(Sandberg, Justin) (Entered: 11/20/2018)
11/26/2018	<u>15</u>	Memorandum in opposition to re <u>14</u> MOTION to Clarify MOTION for Scheduling Order filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Weismann, Anne) (Entered: 11/26/2018)
11/26/2018		MINUTE ORDER. It appearing necessary for the Court to obtain additional information before resolving the defendant's motion for clarification, it is hereby ORDERED that the parties shall appear before the Court for a motion hearing on November 29, 2018, at 11:00 a.m. Signed by Judge Reggie B. Walton on November 26, 2018. (lcrbw2) (Entered: 11/26/2018)
11/26/2018		Set/Reset Hearings: Motion Hearing set for 11/29/2018 at 11:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 11/26/2018)
11/28/2018	<u>16</u>	REPLY to opposition to motion re <u>14</u> MOTION to Clarify MOTION for Scheduling Order filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Sandberg, Justin) (Entered: 11/28/2018)
11/29/2018		Minute Entry; for proceedings held before Judge Reggie B. Walton: Status Conference held on 11/29/2018. Status Conference continued for 12/18/2018 at 02:15 PM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Cathryn Jones) (hs) (Entered: 11/29/2018)
12/18/2018		Minute Entry; for proceedings held before Judge Reggie B. Walton: Status Conference held on 12/18/2018. Government's Brief due by 2/15/2019. Opposition due by 3/4/2019. Reply due by 3/18/2019. Status Conference set for 6/21/2019 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter: Cathryn Jones) (zjd) (Entered: 12/18/2018)
12/18/2018	<u>17</u>	ORDER; In accordance with the Courts oral rulings issued at the status conference held on December 18, 2018, it is hereby ORDERED that the defendants Motion for Clarification and for Processing Schedule Introduction, ECF No. 14, is DENIED AS MOOT, based upon the parties representation that they have reached an agreement on the issue on which clarification was sought. It is further ORDERED that, on or before January 16, 2019, the Federal Bureau of Investigation (FBI) shall complete its production of documents responsive to the plaintiffs Freedom of Information Act (FOIA) request. It is further ORDERED that, on or before January 25, 2019, the United States Department of Justice Office of the Inspector General (OIG) shall provide to the plaintiff a representative sampling of documents responsive to the plaintiffs FOIA request. It is further ORDERED that, on or before February 15, 2019, the defendant shall file a motion regarding the applicability of Exemption 7(A) to the plaintiffs FOIA request. It is further ORDERED that, on or before March 4, 2019, the plaintiff shall file an opposition to the defendants motion. It is further ORDERED that, on or before March 18, 2019, the defendant shall file a reply in support of its motion. It is further ORDERED that the parties shall appear before the Court for a status conference on June 21, 2019, regarding the parties Exemption 7(A) submissions, Signed by Judge Reggie B. Walton on December 18, 2018. (lcrbw2) Modified on 1/2/2019 (hs) (Entered: 12/18/2018)
12/19/2018	<u>18</u>	TRANSCRIPT OF PROCEEDINGS before Judge Reggie B. Walton held on October 3, 2018; Page Numbers: 1 – 10. Court Reporter/Transcriber Cathryn Jones, Telephone number 202 354–3246, Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due

		1/9/2019. Redacted Transcript Deadline set for 1/19/2019. Release of Transcript Restriction set for 3/19/2019.(Jones, Cathryn) (Entered: 12/19/2018)
12/19/2018	<u>19</u>	TRANSCRIPT OF PROCEEDINGS before Judge Reggie B. Walton held on November 29, 2018; Page Numbers: 1 – 28. Court Reporter/Transcriber Cathryn Jones, Telephone number 202 354–3246, Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov .<P> Redaction Request due 1/9/2019. Redacted Transcript Deadline set for 1/19/2019. Release of Transcript Restriction set for 3/19/2019.(Jones, Cathryn) (Entered: 12/19/2018)
12/26/2018	<u>20</u>	MOTION to Stay by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Sandberg, Justin) (Entered: 12/26/2018)
01/02/2019		MINUTE ORDER. Upon consideration of the defendant's <u>20</u> Motion for a Stay of Proceedings in Light of Lapse of Appropriations, and for good cause shown, it is hereby ORDERED that the motion is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED to the extent that the defendant seeks to vacate the impending deadlines in this case. The motion is DENIED in all other respects. It is further ORDERED that the impending deadlines in this case are VACATED pending further Order of the Court. It is further ORDERED that, on or before January 28, 2019, the parties shall file a joint status report regarding how this case shall proceed. Signed by Judge Reggie B. Walton on January 2, 2019. (lcrbw2) (Entered: 01/02/2019)
01/02/2019		Set/Reset Deadlines: Joint Status Report due by 1/28/2019 (hs) (Entered: 01/02/2019)
01/16/2019		MINUTE ORDER. In accordance with the Court's January 2, 2019 Minute Order, it is hereby ORDERED that the status conference currently scheduled for January 18, 2019, is VACATED pending further Order of the Court. Signed by Judge Reggie B. Walton on January 16, 2019. (lcrbw2) (Entered: 01/16/2019)
01/23/2019		MINUTE ORDER. In light of the continued lapse in appropriations, it is hereby ORDERED that the previously imposed deadline for filing a joint status report on or before January 28, 2019, is VACATED. It is further ORDERED that, on or before fourteen days after appropriations have been restored, the parties shall file a joint status report proposing new deadlines in this case. Signed by Judge Reggie B. Walton on January 23, 2019. (lcrbw2) (Entered: 01/23/2019)
01/30/2019	<u>21</u>	NOTICE of Restoration of Appropriations by U.S. DEPARTMENT OF JUSTICE (Sandberg, Justin) (Entered: 01/30/2019)
02/07/2019	<u>22</u>	Joint STATUS REPORT Regarding Scheduling by U.S. DEPARTMENT OF JUSTICE. (Sandberg, Justin) (Entered: 02/07/2019)
02/08/2019	<u>23</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that, on or before February 22, 2019, the Federal Bureau of Investigation ("FBI") shall complete its production of documents responsive to the plaintiff's Freedom of Information Act ("FOIA") request. It is further ORDERED that, on or before February 25, 2019, the United States Department of Justice Office of the Inspector General ("OIG") shall provide to the plaintiff a representative sampling of documents responsive to the plaintiff's FOIA request. It is further ORDERED that, on or before March 21, 2019, the defendant shall file a motion regarding the applicability of Exemption 7(A) to the plaintiff's FOIA request. It is further ORDERED that, on or before April 8, 2019, the plaintiff shall file an opposition to the defendant's motion. It is further ORDERED that, on or before April 22, 2019, the defendant shall file a reply in support of its motion. It is further ORDERED that the parties shall appear before the Court for a status conference on June 21, 2019, regarding the parties' Exemption 7(A) submissions. Signed by Judge Reggie B. Walton on February 8, 2019. (lcrbw2)

		(Entered: 02/08/2019)
02/08/2019		Set/Reset Hearings: Status Conference set for 6/21/2019 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 02/08/2019)
03/21/2019	<u>24</u>	MOTION for Partial Summary Judgment by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit Index of Exhibits, # <u>3</u> Declaration, # <u>4</u> Declaration, # <u>5</u> Exhibit, # <u>6</u> Exhibit)(Sandberg, Justin) (Entered: 03/21/2019)
03/21/2019	<u>25</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by U.S. DEPARTMENT OF JUSTICE (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Sandberg, Justin) (Entered: 03/21/2019)
03/26/2019	<u>27</u>	Ex Parte SEALED DOCUMENT (Declaration) filed by U.S. DEPARTMENT OF JUSTICE. (This document is SEALED and only available to authorized persons.)(ztd) (Entered: 03/28/2019)
04/01/2019	<u>28</u>	Memorandum in opposition to re <u>25</u> SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by U.S. DEPARTMENT OF JUSTICE (This document is SEALED and only available to authorized persons.) filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Text of Proposed Order)(Weismann, Anne) (Entered: 04/01/2019)
04/01/2019	<u>29</u>	MOTION to Stay re <u>24</u> MOTION for Partial Summary Judgment by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Attachments: # <u>1</u> Text of Proposed Order)(Weismann, Anne) (Entered: 04/01/2019)
04/02/2019	<u>30</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that the <u>29</u> Plaintiff's Motion to Stay Briefing on Defendant's Motion for Partial Summary Judgment and Supporting Memorandum is DENIED AS MOOT. Signed by Judge Reggie B. Walton on April 2, 2019. (lcrbw2) (Entered: 04/02/2019)
04/05/2019	<u>31</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>24</u> MOTION for Partial Summary Judgment by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Attachments: # <u>1</u> Text of Proposed Order)(Weismann, Anne) (Entered: 04/05/2019)
04/05/2019		MINUTE ORDER. Upon consideration of the <u>31</u> Plaintiff's Unopposed Motion for an Extension of Time to File Its Opposition to Defendant's Motion for Partial Summary Judgment and Supporting Memorandum, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that, on or before April 12, 2019, the plaintiff shall file an opposition to the defendant's motion for partial summary judgment. It is further ORDERED that, on or before May 2, 2019, the defendant shall file a reply in support of its motion for partial summary judgment. Signed by Judge Reggie B. Walton on April 5, 2019. (lcrbw2) (Entered: 04/05/2019)
04/08/2019		Set/Reset Deadlines: Response to Motion for Partial Summary Judgment due by 4/12/2019. Reply in support of Motion for Summary Judgment due by 5/2/2019. (hs) (Entered: 04/08/2019)
04/12/2019	<u>32</u>	Memorandum in opposition to re <u>24</u> MOTION for Partial Summary Judgment filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Exhibit List, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Statement of Facts Response, # <u>10</u> Text of Proposed Order)(Weismann, Anne) (Entered: 04/12/2019)
05/02/2019	<u>33</u>	REPLY to opposition to motion re <u>24</u> MOTION for Partial Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Sandberg, Justin) (Entered: 05/02/2019)
06/21/2019		Minute Entry for proceedings held before Judge Reggie B. Walton: Status Conference held on 6/21/2019. Parties inform the court of the status of this action. Order to follow. Next status conference set for 7/9/2019 at 02:30 PM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter: Cathryn Jones.) (tj) (Entered: 06/24/2019)
06/24/2019	<u>34</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that the parties shall appear before the Court for a status conference on July 9, 2019, at 2:30

		p.m., at which time the defendant, or another representative of the government, shall be prepared to address the Court's questions regarding whether the declaration that was filed ex parte and under seal should remain under seal. Signed by Judge Reggie B. Walton on June 24, 2019. (lcrbw2) (Entered: 06/24/2019)
07/09/2019		Minute Entry for proceedings held before Judge Reggie B. Walton: Status Conference held on 7/9/2019. Status Conference set for 9/9/2019 at 9:15 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter: Cathryn Jones) (gdf) (Entered: 07/09/2019)
07/10/2019	<u>35</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that the declaration shall remain under seal pending further order of the Court. It is further ORDERED that the parties shall appear before the Court for a status conference on September 9, 2019, at 9:15 a.m., to discuss whether the declaration should remain under seal. Signed by Judge Reggie B. Walton on July 10, 2019. (lcrbw2) (Entered: 07/10/2019)